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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,483	10/08/1999	MEHO KARALIC	247PIUS	3348

20577 7590 03/10/2005

LONG AND CAMERON
SUITE 1401 - 1166 ALBERNI STREET
VANCOUVER, BC V6E 3Z3
CANADA

EXAMINER

HORTON, YVONNE MICHELE

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/414,483

Applicant(s)

KARALIC, MEHO

Examiner

Yvonne M. Horton

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24,29-34,36-39,41,45 and 46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24,29-34,36-39,41,45 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: see attached exhibit.

DETAILED ACTION

Allowable Subject Matter

The indicated allowability of claims 29-34, 37-39 and 41 is withdrawn in view of a more detailed review of the reference(s) to RUSSO. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 24,45 and 46 is rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #451,596 to LONGENECKER. LONGENECKER discloses the use of a combination building structure (as shown in Figures 1 and 2) including a vertical length of lumber (A,C), a horizontal length of lumber (B), a metal corner connector (as shown in Figure 4) including an intermediate portion (K,G), at least one lateral flange (LF2), see the marked attachment, and an upwardly vertical flange (L,F) that extends between the vertical lengths (as at portion colored red in the marked attachment); wherein, the vertical (A,C) and horizontal (B) lengths abut in face-to-face contact with the intermediate portion (K,G), the vertical flange (L,F) and the lateral flanges (LF2). In reference to claim 25, the intermediate portion (K,G) is box-shaped. In reference to claim 45, the horizontal length of lumber (B) is one of a pair of lengths being the top and bottom horizontal portions of the window; wherein, the intermediate portion (K) is box-shaped and includes a pair of lateral flanges (LF2) that extend therefrom and which fit snugly on the tops of the bottom horizontal member (B). Regarding claim 46, the box-

shaped intermediate portion (K) is flush with the vertical (A,C) and horizontal (B) lengths of lumber.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 29-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #4,196,556 to RUSSO in view of US Patent #4,292,775 to HOWARD and GINSITE ®. HOWARD discloses the use of a building component including lengths of lumber (24) connected by a metal box-shaped connector (10) having flanges (14,20,26) to form a rectangular frame wherein the building component has a reinforcing skin (25) thereon. RUSSO discloses the basic claimed component except for the reinforcing skin being a solidified composite and except for the inclusion of foam material. HOWARD teaches that it is known in the art to provide a building component with a foam material (24) and a reinforcing skin (27) adhered to the lengths of lumber (14,16,22) and foam (24), column 2, lines 33-36. although HOWARD does not explicitly detail that his reinforced skin is a solidified composite, plaster is a well known solidified composite. GINSITE ® is a very well known art recognized "solidified composite" material that is Trademarked in the art. Hence, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the structure of RUSSO with the foam of HOWARD and the solidified reinforced skin material of GINSITE ® in order to offer the structure thermal protection while also allowing the structure to be light in weight, durable and water resistant. Regarding claim

30, the reinforced skin (27) of HOWARD extends over one side of the frame. Thus, RUSSO modified by HOWARD and GINSITE®, would also include a reinforced skin that extends over one side. In reference to claim 31, the reinforced material of HOWARD overlaps and adheres to the frame. Thus, RUSSO modified by HOWARD and GINSITE®, would also overlap and adhere to the frame. Regarding claim 33, the composite material of HOWARD is a plaster which is known as being reinforced with fibers. However, GINSITE®, is also well known fibers. Thus, RUSSO modified by HOWARD and GINSITE®, would also include a reinforced skin having reinforcing fibers. In reference to claim 34, the reinforcing material (27) of HOWARD includes a mesh (20). Regarding claim 36, the flanges (14) extend between lengths of adjacent limbers (24).

Claims 37-39 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #4,196,556 to RUSSO in view of US Patent #4,292,775 to HOWARD and GINSITE®. HOWARD discloses the method of making a building component including the steps of connecting lengths of lumber (24) with a box-shaped connector (10) having flanges (14,20,26) extending therealong to form a rectangular frame. RUSSO teaches the basic claimed method except for the inclusion of a reinforcing skin being a solidified composite and except for the inclusion of foam material. HOWARD teaches that it is known in the art to provide a building component with a foam material (24) and a reinforcing skin (27) adhered to the lengths of lumber (14,16,22) and foam (24), column 2, lines 33-36 by applying the skin (27) to the foam (24). Although HOWARD does not explicitly detail that his reinforced skin is a solidified composite,

plaster is a well known solidified composite. GINSITE ® is a very well known art recognized "solidified composite" material that is Trademarked in the art. Hence, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the structure of RUSSO with the foam of HOWARD and the solidified reinforced skin material of GINSITE ® in order to offer the structure thermal protection while also allowing the structure to be light in weight, durable and water resistant. In reference to claim 38, the reinforcing composite material of HOWARD is a plaster which is known as being reinforced with fibers. However, GINSITE ®, is also well known fibers. Thus, RUSSO modified by HOWARD and GINSITE ®, would also include a reinforced skin having reinforcing fibers. Regarding claim 39, the reinforced material of HOWARD overlaps and adheres to the frame. Thus, RUSSO modified by HOWARD and GINSITE ®, would also overlap and adhere to the frame. In reference to claim 41, the flanges (14) extend between lengths of adjacent limbers (24).

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (703) 308-1909. The examiner can normally be reached on 6:30 am - 3:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (703) 308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


3/7/05

EXAMINER'S ATTACHMENT

(No Model.)

T. F. LONGENECKER.

WINDOW SASH.

No. 451,596.

Patented May 5, 1891.

Fig. 1.

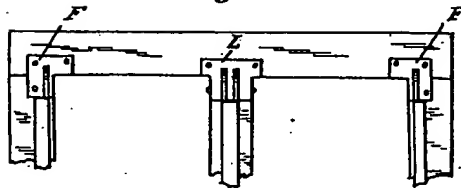


Fig. 2.

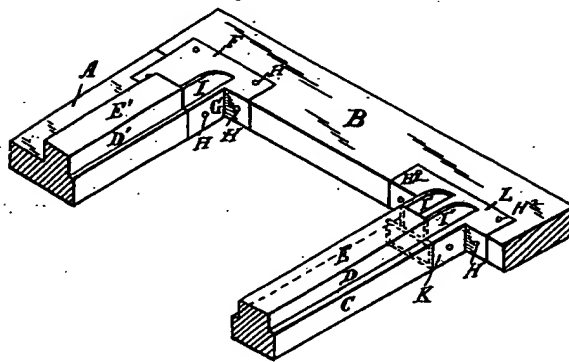


Fig. 3.

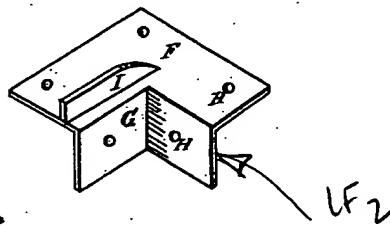
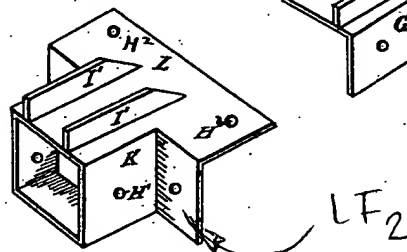


Fig. 4.



Attest:

L. M. Bartlett.
O. W. Johnson.

Inventor:

Thos. F. Longenecker
By W. A. Bartlett
att'y.